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Chairman: Mr. Enkhsaikhan ..... (Mongolia)
later: Mr. Mochochoko (Vice-Chairman) ..... (Lesotho)

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The meeting was called to order at 3.15 p.m.

Agenda item 154: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*) (A/53/33, A/53/312, A/53/326 and A/53/386)

1. **Mr. Doudech** (Tunisia), on the question of how to strengthen the role of the Organization and to improve its functioning based on the provisions of the Charter, said that, despite its intensity, the debate, which continued to focus on what was in his view the extremely important issue of assistance to third States affected by the application of sanctions, had not yet yielded an adequate solution to a most urgent problem. Tunisia continued to support the proposed mechanism for providing assistance to such States. In order to mitigate the many adverse effects of sanctions, especially on developing countries, the expert group had recommended that an advance assessment of the potential impact of sanctions should be undertaken even prior to their adoption. Similar assessments should be undertaken for sanctions already in place and a permanent mechanism created to compile and analyse information on the application of sanctions and its consequences.

2. A very useful recommendation had been made by the expert group, namely, that the Secretary-General should be requested to appoint a Special Representative to undertake, in collaboration with the Governments concerned, a full assessment of the consequences of the sanctions and to identify measures of assistance to the affected States. Follow-up to that recommendation would greatly facilitate the implementation of Article 50 of the Charter and the holding of consultations between the Security Council and third States affected by the application of sanctions.

3. In that connection, his delegation reiterated its support for the position taken by the Movement of Non-Aligned Countries in favour of the establishment of a special facility to assist third States affected by the application of sanctions. It also wished to stress the importance that should be attached to the humanitarian aspects of sanctions. In that connection, it found most interesting the contribution made by the Russian Federation in the working paper submitted at the previous session of the Special Committee, which contained valuable elements that enriched the debate on the fundamental norms and principles that should govern the adoption and application of sanctions. One of those principles was that sanctions should be contemplated only when all means for the peaceful settlement of disputes had been exhausted. Another and no less important principle was that sanctions should be adopted with a precise objective, be limited in time, be regularly reviewed and be made subject to specific conditions which, when met, should result in the termination of the measures. Lastly, it was imperative to ensure that the application of sanctions did not violate the socio-economic rights of populations by creating intolerable humanitarian situations, the first victims of which were the most vulnerable sectors of society.

4. On the question of the strengthening of the role of the Organization on the basis of the provisions of the Charter, he wished to refer to the working papers submitted by Cuba, the Libyan Arab Jamahiriya, the Russian Federation and Sierra Leone. Respect for the provisions of the Charter was essential to ensure the success of United Nations action in the field of peacekeeping and dispute prevention and to strengthen the principles of democracy, transparency and cooperation within the Organization. Similarly, respect for the principles of the sovereignty of States, non-interference in their internal affairs and the peaceful settlement of disputes was a fundamental requirement for achieving the purposes of the Charter in the area of the maintenance of international peace and security. The strengthening of the role of the General Assembly, in accordance with Articles 10 and 11 of the Charter and the broadening of consultations between the Security Council and those States concerned in matters of which, in application of Articles 31 and 32 of the Charter, the Council was seized were questions that deserved special attention with a view to the effective implementation of the legislative provisions on which action by the Organization should be based.

5. He welcomed all the proposals which had been made with a view to strengthening the role of the Organization. Any proposal of a legal nature aimed at achieving that objective should be considered by the Sixth Committee and, since no other organ of the United Nations had the necessary competence, the Special Committee remained the ideal forum within which to do so.

6. **Mr. Lavalle Valdés** (Guatemala) regretted the Special Committee's failure to achieve concrete results in its work, particularly during the year that had just ended. With regard to the Special Committee's recommendations contained in paragraph 12 of its report (A/53/33), he failed to see the value of the recommendation made in paragraph 34 on the question (albeit an important one) of assistance to third States affected by the application of sanctions.

7. He noted with regret that the other recommendation of the Special Committee, contained in paragraph 167 of its report, was of a purely procedural nature. Those shortcomings would have been less serious if the report of the Special Committee had had the potential for achieving

concrete results. Unfortunately, that was not the case, since of the eight working papers taken up by the Special Committee, one fell within the competence of another organ, which made any consensus impossible. Another proposal reproduced in large part a resolution which the General Assembly had adopted in 1997, but without mentioning that fact. It was therefore extremely doubtful whether the Special Committee would be able to adopt the proposals in the near future, because of the lack of consensus. Modifications, especially of form, would therefore be necessary.

8. With a single exception, where the criticisms mentioned in the report of the Special Committee did not amount to a total rejection of a proposal, they merely highlighted the shortcomings of the proposals submitted without offering any alternative solutions that might be acceptable to the author States. Furthermore, apart from the fact that the proposals lacked preambles, except the one reproduced in chapter IV, section B, of the report, it was unclear whether they should be the object of a declaration or resolution of the General Assembly, of the Special Committee itself or of another organ, which tended to accentuate the self-centredness that characterized the Special Committee's work. In the single case in which modifications had been suggested, that of the proposal of Sierra Leone, it might be possible to begin negotiations which could lead to its adoption by consensus. It was difficult, however, to go forward with the consideration of the proposal in the absence of prior agreement on its distinctive aspects, especially since the text did not refer to any of the traditional methods for the peaceful settlement of disputes nor did it seem to combine different elements taken from those methods.

9. With regard to Guatemala's contribution to the work of the Special Committee, namely the proposal in chapter IV, section B, of the report of the Special Committee, he did not yet know what action was appropriate. Should the proposal fail to produce tangible results in the foreseeable future, it would not be worth the Committee's while to continue considering it indefinitely.

10. He saw merit in the Ukrainian delegation's proposal that the Special Committee should break the deadlock by suspending the consideration of all proposals contained in its report that appeared unlikely to produce rapid progress, with the exception of the one on the implementation of Charter provisions related to assistance to third States affected by sanctions.

11. While his delegation regretted the Special Committee's silence with respect to the problems raised by the updating of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*, it endorsed the recommendation in paragraph 32 of the report thereon (A/53/386).

12. Lastly, his delegation was grateful to the United States delegation for endorsing in advance the Guatemalan draft decision concerning the increase in the volume of cases before the International Court of Justice, in the light of the comments and observations contained in the report of the Secretary-General (A/53/326). His delegation proposed that the Sixth Committee should request its Chairman to transmit the text of those comments and recommendations, for information purposes, to the Chairman of the Fifth Committee. Since it was a very straightforward proposal, his delegation's statement should be considered an introduction.

13. **Ms. Flores-Liera** (Mexico) welcomed the fact that States were resorting more and more frequently to dispute settlement mechanisms and noted with satisfaction the no doubt permanent increase in the volume of cases brought before the International Court of Justice. Convinced that Member States should provide the Court with the resources to meet its growing workload, her delegation, among others, had requested the inclusion in the 1997 agenda of the Special Committee of the item on the consequences that the increase in the volume of cases before the International Court of Justice had on the operation of the Court. It was therefore particularly grateful to the Court for having given its observations on the subject. Recognizing in that regard the Court's efforts to meet its increasing workload, as indicated in document A/53/326, her delegation had no doubt that the Court would continue to do its utmost to expedite its work and that the Special Committee, at its next session, would use those comments as a basis for its recommendations.

14. As far as the implementation of Charter provisions related to assistance to third States affected by sanctions was concerned, her delegation had endorsed the initiative of the Secretary-General, who had convened an ad hoc expert group meeting to study the matter. In its conclusions and recommendations (A/53/312), the expert group envisaged a number of practical steps to be taken sequentially and to be applicable to all future cases of economic sanctions. The proposed model was flexible in that, without undermining the effectiveness of sanctions imposed, it would permit adjustments to be made on a case-by-case basis. Without prejudice to a more detailed consideration of the substantive proposals put forward by the expert group and of the consequences of their possible implementation, the ideas put forward in the report seemed to help to improve the practical application of Article 50 of the Charter. The Committee should keep the question under review.

15. She welcomed the publication of the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*. The efforts of the Secretariat to reduce delays in issuing those two publications, a particularly difficult task, were noteworthy. Regarding the recommendations put forward in paragraph 32 of the report of the Secretary-General (A/53/386), she observed that the efforts to update those publications should not be at the expense of the other activities requested.

16. In view of the large number of items on the Special Committee's agenda, a more methodical approach to the consideration of topics was required. Thus far, the Special Committee had considered several topics at the same time. That practice had begun to affect the effectiveness of its debates. In the light of the results obtained in recent years, the time had come for the Special Committee to take stock and to take a decision on the matter. At the same time as the much-needed review of its working methods and functioning, such an exercise would contribute to the revitalization of the United Nations. In the resolution which would be adopted at the current session, the Special Committee should be invited to undertake that exercise. Moreover, the duration of the Special Committee's session should not be fixed automatically but should remain contingent upon its programme of work. Finally, her delegation endorsed the recommendation in paragraph 167 of the Special Committee's report (A/53/13) that future sessions should be scheduled later in the first half of any given year.

17. **Mr. Tabone** (Malta) said that, since the beginning of the discussion on the future role of the Trusteeship Council in the Sixth Committee and the Special Committee pursuant to the request made by the General Assembly in its resolution 50/51 of 11 December 1995, a number of States had expressed support for the Maltese proposal that the Trusteeship Council should be made responsible for coordinating endeavours to safeguard areas of common heritage of humankind.

18. The concept of common heritage, first launched by Malta in 1997 and now universally accepted, was incorporated in a number of international conventions under the competence of international institutions, whose independent work needed to be coordinated. The protection of the common heritage of humankind required a coordinated approach that took into account the interrelationships between the different elements that made up such heritage. There was therefore a need to establish an oversight mechanism covering all areas that the United Nations held in trust for future generations: the environment, the oceans, the atmosphere and outer space. In view of its origins, the Trusteeship Council was the most appropriate organ of the United Nations to exercise that trusteeship function, as had been reaffirmed by the Deputy Prime Minister and Minister for Foreign Affairs of Malta at the current session of the General Assembly, who had stated that the ushering in of a new era of cooperation in which the notion of trusteeship assumed renewed relevance was the ideal opportunity for the international community to address, in a concerted fashion, different problems arising, in particular, from a multitude of treaties and conventions. The Secretary-General had also endorsed that approach, as attested by the fact that he had entrusted new responsibilities to the Trusteeship Council as part of his reform package.

19. Malta had also taken note of the recommendations of the United Nations Task Force on Environment and Human Settlements, whose mandate it understood as covering not only the United Nations system but also various treaty convention bodies concerning the common heritage of humankind and the environment in general. The openness of the Task Force to the proposal was encouraging. His delegation reaffirmed its intention to participate actively in the consultations to be undertaken by the Executive Director of UNEP in preparation for the next regular session of the Governing Council.

20. His delegation hoped that the recommendation of the Task Force concerning the convening of an "environmental forum" that would formulate forward-looking proposals for the protection of the global environment — encompassing, *inter alia*, the future role of the Trusteeship Council — for submission to the UNEP Governing Council and the Millennium Assembly would contribute to the consideration by Member States of additional responsibilities to be allocated to the Trusteeship Council. His delegation remained firmly convinced that that would strengthen the institutional balance provided for in the Charter of the United Nations. Although the Sixth Committee would not be able to engage in a substantive consideration of the question of reforming Council during the current session, it should nonetheless remain seized of the matter until the next session of the Special Committee or the General Assembly, with a view to considering the proposals and recommendations submitted during the "environmental forum".

21. His delegation was convinced that, however useful the recommendations of the Task Force and the UNEP consultations might be, the question under consideration merited in-depth consideration by all Member States, since it involved one of the principal organs of the United Nations. During the current session, the Committee could take note of the most recent developments that had taken place during

the past year and adopt a decision that would indicate its intention to consider the item on the future role of the Trusteeship Council in the light of the recommendations of the "environmental forum" at the forthcoming session of either the Special Committee or the General Assembly.

22. **Mr. Benitez Saenz** (Uruguay) said that his delegation had always been interested in the question of third States affected by the application of sanctions, which was addressed in the report of the Special Committee on the Charter (A/53/33). The powers which Article 50 of the Charter conferred on the Security Council, namely, preventive or enforcement measures, had not been entirely effective in achieving their intended objectives. In fact, a survey of 116 cases in which sanctions had been applied showed that it had been possible to obtain the desired results in only 41. While there was no question of eliminating or changing a mechanism which the Charter had established as a legitimate means of influencing the conduct of States, it seemed imperative to establish, parallel to the application of sanctions, automatic compensation mechanisms for third countries.

23. With regard to the maintenance of international peace and security, the documents submitted by the Russian Federation on basic conditions and criteria for imposing and implementing sanctions and other enforcement measures were also most interesting. His delegation fully endorsed the idea of assessing the socio-economic and humanitarian consequences of sanctions at the time they were implemented, and supported the statement delivered by the representative of Austria on behalf of the European Union in that connection.

24. While his delegation largely agreed with the content of the draft declaration submitted by the Russian Federation on the basic principles and criteria for the work of the peacekeeping missions and mechanisms, it believed that the Special Committee should not attempt to assume functions more appropriately dealt with by the Special Committee on Peacekeeping Operations.

25. The revised working paper submitted by Cuba on strengthening the role of the Organization merited in-depth study, since it was aimed at the democratization and strengthening of the Organization. It dealt in particular with the role of the General Assembly; his delegation, too, believed that the structure of the Organization no longer corresponded to current political realities. Like most other delegations, it believed that the Special Committee was competent to deal with the question.

26. The analysis of the proposal submitted by Sierra Leone concerning the peaceful settlement of disputes between States should be pursued in order to find the best means of implementing it. The work of the United Nations should be based on in-depth consideration of the principle of preventive diplomacy.

27. The working papers submitted by Guatemala and Costa Rica on amending the Statute of the International Court of Justice and extending its competence to disputes between States and international organizations contained excellent proposals on expanding the Court's competence. It was indeed desirable for the world's foremost judicial authority to be able to hear disputes between States and international organizations.

28. The report of the Secretary-General containing the conclusions of the meeting of the ad hoc expert group established pursuant to resolution 52/162 (A/53/312) contained extremely innovative views. However, its late distribution had prevented capitals from studying it carefully. Despite the amount of work accomplished, the possibility of formulating conclusions that would lead to realistic and practical solutions was still remote. While there was unanimous support for the principle of compensation for damage caused to third States, it would remain a dead letter in the absence of a reliable financing mechanism.

29. The proposal submitted by Mexico on the means of increasing the practical effectiveness of the International Court of Justice had led to the preparation of the report contained in document A/53/326. The Committee should analyse the comments and observations of the International Court of Justice and should seek to facilitate, inasmuch as possible, the task of the highest judicial authority.

30. His delegation supported the recommendation formulated in paragraph 167 of the report of the Special Committee on scheduling its sessions later in the year. The Special Committee should have more time to deliberate, since it had been unable to obtain concrete results on a number of items included in its agenda.

31. **Mr. Mircea** (Romania), referring first to the question of assistance to third States affected by the application of sanctions, said that his country had welcomed the adoption of resolution 51/162 of 15 December 1997, which had made it possible to obtain, fairly rapidly, very useful conclusions and recommendations by experts from a number of countries and representatives of parts of the Secretariat, the specialized agencies of the United Nations and other international organizations. In order to maintain that momentum, it was vital to fine-tune those recommendations and rapidly determine a common denominator among them that was readily adaptable to various specific situations.

32. While the recommendations of the ad hoc expert group should certainly be studied by Governments and the Secretariat, his delegation believed that the Secretariat should be encouraged to pursue the activities initiated with the convening of the expert meeting in June 1998. That idea could be reflected in the resolution to be adopted. Of particular interest was the recommendation to the effect that, in the most severe cases, the Secretary-General could appoint special representatives to assess the consequences of sanctions, in collaboration with the Governments concerned.

33. It would be simpler and more advisable, however, to involve in the assessment process the United Nations resident representatives in the affected countries. Given their experience of assessment in the countries in which they were serving, they would be able to assist quickly and at various levels with the establishment of a real dialogue between the countries affected by the sanctions and the relevant United Nations bodies. Considerable expense would thus be avoided.

34. Referring to the situation of the International Court of Justice, he said it was vital that that prestigious institution should receive at the earliest opportunity the resources it required to cope with its growing workload in what was a very delicate sphere of international life. The comments of the Court itself, contained in document A/53/326, were particularly interesting in that respect.

35. **Mr. Wilmot** (Ghana) said that he supported the recommendation by the Special Committee in paragraph 167 of its report (A/53/33) that its sessions should be scheduled later in the first half of the year to enable it to carry out its work more effectively and to allow sufficient time for careful consideration of the comments made in the Sixth Committee and assessment of the reports which the Secretary-General might be able to provide.

36. With regard to the draft declaration on the basic principles and criteria for the work of United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts, his delegation shared the view expressed in paragraph 79 of the aforementioned report concerning possible duplication or overlap, particularly with respect to peacekeeping activities and the work of other competent bodies. As to the proposal on the fundamentals of the legal basis for United Nations peacekeeping operations in the context of Chapter VI of the Charter, it was his delegation's firm belief that there must be a solid legal basis. The Special Committee should focus on the relevant legal questions, taking account of the lessons learnt from previous peacekeeping operations.

37. His delegation noted that the report of the Secretary-General on the implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions (A/53/312) raised important issues, such as the problems faced by those States, the measures and methodology to employ, and the role of other countries and of the Secretariat. Ghana had, in the past, supported various resolutions seeking to minimize the harsh effects suffered by third States. It believed there was a need, particularly given the current trend of recourse to economic sanctions and the growing number of third States affected, for the Organization to find a lasting solution to the problem.

38. His delegation appreciated the analysis of the sources of hardship and the various methods of assessing the impact of sanctions recommended by the ad hoc expert group established pursuant to General Assembly resolution A/52/162. The provision of better information and early assessment for the Security Council about the actual or potential effects of sanctions on third States would be very useful. Furthermore, the ad hoc expert group was right to recommend in paragraph 34 of the report (A/53/312) the undertaking of on-site visits by ad hoc assessment missions in order to properly grasp and fully evaluate the various adverse effects. The type of assistance to be provided to third States was of particular importance. The ad hoc expert group had correctly emphasized the principle of burden-sharing and the need to explore innovative and practical measures of international assistance to affected States. Industrialized and high-income countries should assume special responsibility in that respect. His delegation hoped that they would recognize and accept that responsibility.

39. His delegation agreed with the experts that the international financial institutions, such as the International Monetary Fund and the World Bank, were well placed to assess the actual economic impact on third States of sanctions imposed by the United Nations and to provide them with the necessary financial assistance. That idea should be explored further. His delegation also subscribed to the experts' views on the role of the organs and agencies of the United Nations. The role to be played by the Secretariat was one of the crucial aspects of the report before the Committee. In paragraphs 52 and 53, the experts recommended that the Secretariat should carry out an advance assessment of the potential impact of sanctions, assist States invoking Article 50 of the Charter of the United Nations in the preparation of explanatory materials, monitor the effects of the sanctions and consult with the Security Council to enable the Council to take informed decisions.

40. The recommendation by the ad hoc expert group in paragraph 54 concerning the appointment of a Special

Representative to undertake an assessment of the actual impact of the imposition of sanctions on the affected States was interesting. The recommendation in paragraph 56 regarding the dispatch of special fact-finding or evaluation missions on the ground also merited the attention of the Special Committee and the General Assembly.

41. His delegation also subscribed to the recommendation of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/53/33, para. 34) to the effect that the discussion on the various aspects of the implementation of Article 50 should be pursued, in the light of the relevant documentation. Given that the aim of sanctions was above all to modify the behaviour of a State and that they invariably affected third States, they should be imposed only as a last resort, when all the methods enshrined in the Charter had been exhausted, and in strict conformity with the Charter. They must also be limited in duration and must be lifted as soon as their primary objectives had been attained. It was important to emphasize that sanctions must not be an instrument of foreign policy aimed at changing the political, economic or social regime of another country or at retaliating against a neighbouring State or group of States.

42. Turning to the report of the Secretary-General on the consequences that the increase in the volume of cases before the International Court of Justice had on the operation of the Court (A/53/326), he said it gave the impression that the Court was overwhelmed by its workload owing to a lack of human and financial resources. The ICJ performed a vital role in resolving cases and rendering advisory opinions, as evidenced by the considerable increase in the number of disputes brought before it and the requests for advisory opinions. That increase had resulted in the lengthening of the duration of procedures. The report also drew attention to the shortages of both legal and translation staff, which had led to increased administrative costs.

43. While the Court was to be commended on the measures it had taken to make its operations efficient, it must be provided with the financial, human and logistical resources it had requested.

44. Regarding the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* (A/53/386), the lengthy delay in publishing those documents was depriving delegations and the public of an important source of information on the United Nations. His delegation urged the Secretary-General to find the resources necessary to enable him to complete the missing volumes and to make them available to delegations. In the case of the *Repertoire of the Practice of the Security Council*, he noted the progress which had recently been made. He commended the Secretary-General and expressed the hope that the next volumes of that very useful document would be published within the next two years.

45. **Mr. Obeid** (Syrian Arab Republic) pointed out that the question of assistance to third States affected by sanctions was more important than ever, in that the use of sanctions seemed to be becoming more and more frequent even though it was not justified except in very specific cases, after all other peaceful, political and diplomatic means had been exhausted. Sanctions should be imposed in such a way that they did not have excessively harmful consequences, especially for third States. Moreover, the criteria for imposing them should be clear and should not be selective or based on political considerations. When sanctions were indeed imposed, their short- and long-term effects should be examined and the suffering of civilian populations should be taken into account. Indeed, the objective of sanctions should not be to punish, but to change conduct that was found wanting. Sanctions should therefore be lifted as soon as the threat that justified them was out of the way. That was why the measures which a State subjected to sanctions must take in order to have them lifted should be specified.

46. His delegation believed that Article 31 of the Charter, which guaranteed any Member of the Organization that was not a member of the Security Council the right to participate, without vote, in the deliberations of the Security Council if the interests of the Member were specially affected, should be effectively applied.

47. His delegation had taken note with great interest of the important revised proposal submitted by the Russian Federation, which contained statistics on sanctions.

48. Also, he had not forgotten that the heads of State and Government of the Movement of Non-Aligned Countries, in the Declaration which they had adopted in Durban in September 1998, had said that they were extremely concerned by the sanctions regime and by the way Article 50 was being applied. They had also mentioned the possibility of establishing a fund to assist third countries adversely affected by sanctions.

49. The Syrian delegation supported the proposals by Cuba, which were fully in line with the restructuring and democratization process under way in the Organization. Similarly, it subscribed to the proposal aimed at strengthening the role of the United Nations in the maintenance of international peace and security.

50. It would be premature to dissolve the Trusteeship Council and to make the consequential amendment to the Charter. The Trusteeship Council was a body that had not completed its mandate, in that there were still some Non-Self-Governing Territories remaining. His delegation also supported the working papers submitted by Guatemala and Costa Rica in the belief that the International Court of Justice should be provided with the human and material resources it needed. His delegation agreed that the sessions of the Special Committee should be held in the spring, but believed that it would not be desirable to shorten their duration.

51. **Ms. Ramoutar** (Trinidad and Tobago) said that she was satisfied with the way the Special Committee had studied the proposal by the Russian Federation on the provisions of the Charter concerning assistance to third States affected by sanctions. In her delegation's opinion, sanctions should come with a precise timetable and should not be used unless all other peaceful means had been exhausted. In that connection, her delegation welcomed the fact that the report of the expert group had appeared in print and called for a method to be developed of assessing the effects of sanctions on third countries in advance of their imposition.

52. Her Government, concerned by the difficulties currently facing the International Court of Justice, hoped that the competent body, the Fifth Committee, would take appropriate steps to provide the Court with the human and material resources it needed.

53. Like other delegations before it, her delegation regretted the delays in publishing the *Repertory of Practice of United Nations Organs* and the *Repertoire of Practice of the Security Council*. She counted on the necessary steps being taken to ensure that those publications, which were very useful, would appear regularly.

54. Her delegation favoured holding the sessions of the Special Committee in the spring.

55. **Mr. Zhdanovich** (Belarus) said that he had given his full attention to the work the Special Committee had done on the question of assistance to third countries affected by sanctions. It would be desirable for the Special Committee to coordinate its activities with those of other bodies dealing with such issues, particularly the Security Council. That said, it remained up to the Special Committee to decide.

56. The question of assistance to third countries affected by sanctions could not be settled without good will from States. The resolutions which the General Assembly had adopted on the subject were more about procedure than substance, and were merely the first steps in the quest for an assistance mechanism for third countries. His delegation believed that it was up to the Special Committee to solve the specific problems which arose, and that it was possible to do so without impairing the effectiveness to the sanctions regime. The Security Council should be careful to take into account all the consequences of its actions. In some cases, it would be desirable for the Security Council and the Secretary-General to appoint a special representative who would be responsible for cooperation with the targeted State and for monitoring the impact of sanctions on third countries. The United Nations funds and programmes, in cooperation with other intergovernmental bodies, should find ways to provide better-targeted aid to the States concerned.

57. His delegation believed also that the criteria for applying sanctions should be specified: the Security Council must determine that international peace and security were indeed threatened, and sanctions must be adopted only as a last resort and for a specified period. The Belarusian delegation supported the working paper that had been submitted on the subject.

58. *Mr. Mochochoko (Lesotho), Vice-Chairman, took the Chair.*

59. **Mr. Choe Myong Nam** (Democratic People's Republic of Korea) said he wished to revert to an earlier statement by the representative of the United States which had sharply criticized the position of the Democratic People's Republic of Korea concerning command of forces stationed in Korea. Contrary to what the representative of the United States had claimed, they were not under United Nations command. The forces in question had been placed under the command of the United States, which was improperly using the name of the United Nations to legitimize their presence in South Korea. The delegation of the Democratic People's Republic of Korea believed that measures must be taken to resolve the situation.

60. **Mr. Arbogast** (United States) said he would continue to reject the statements by the representative of the Democratic People's Republic of Korea, which contained not facts but allegations.

61. **Mr. Choe Myong Nam** (Democratic People's Republic of Korea) reiterated his position and said that his Government would maintain that position so long as the United States kept command of forces stationed in Korea while claiming that they were United Nations forces.

62. **The Chairman** announced that a draft resolution would be issued under the symbol A/C.6/53/L.3 and invited its sponsors to explain its contents.

63. **Mr. Korzachenko** (Ukraine) presented the major outlines of the draft resolution entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions", highlighting the differences between the draft resolution and the previous resolution of the General Assembly on the subject (resolution 52/162). He announced that the text of the draft resolution would be available at the meeting the following day. He expressed the hope that it would be possible to adopt the draft by consensus, as had been the case in previous years.

The meeting rose at 5.10 p.m.